

017



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,089	07/05/2001	Kyung-Pill Ko	P56497	3207

7590 02/23/2005

ROBERT E. BUSHNELL
SUITE 300
1522 K STREET, N.W.
WASHINGTON, DC 20005

EXAMINER

HAN, QI

ART UNIT	PAPER NUMBER
----------	--------------

2654

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,089

Applicant(s)

KO, KYUNG-PILL

Examiner

Qi Han

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 7, 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/05/2001</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement submitted on 07/05/2001 have been considered by the examiner (see attached PTO-1449).

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The disclosure is objected to because of the following informalities:

On page 7, paragraph 30, the content 'Fig. 5A shows ...in Korean language and English language...respectively' appears to be incorrect, since Fig. 5A shows the display only in Korean language. Appropriate correction is required.

Claim Objections

4. Claims 7 and 12 are objected to because of the following informalities:

Claim 7 appears to depend on claim 6 (not claim 4) and will be interpreted as so. Appropriate correction is required.

Claim 12 recites the limitation "controlling said OSD generator", which appears to be duplicated in the same line. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 14, 16 and 19-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 16, the limitation “display device having **an input terminal** adapted to be coupled to ...” is unclear and lacks supports in the specification, which leads the claimed limitation being indefinite. As best understood, the limitation is interpreted as “display device having an input means adapted to be coupled to” hereinafter.

Claim 14 recites the limitation “said first language information data” in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 19-22 recite the limitation “said first language”. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2654

6. Claims 1-9 and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over MENEZ et al. (US 2002/0083453 A1), in view of HETHERINGTON et al. (US 6,469,713 B2) hereinafter referenced as HETHERINGTON.

As per **claim 1**, MENEZ discloses system and method for selecting language of on-screen displays (OSD) and audio programs (title), which is equally applicable to a wireless personal assistant such as a Palm Pilot (which is a hand-held computer) (paragraph 21), comprising:

“a language information-providing section [adapted] to store and generate language information about the kind of first language”, (paragraph 13, ‘users remote control device to select the language (inherently generating the information of the kind of language)... in on-screen display’ and ‘save (store) to memory the selection of the language (first language) selected’);

“an on screen display (OSD) generating section generating an OSD for setting a display environment of a display device”, (paragraph 20, ‘microprocessor 415 also generates the on-screen display (OSD) signals’, which inherently includes a corresponding software model (section) for implementing the generating OSD functionality);

“a memory storing a plurality of second languages used in said OSD”, (Fig. 4, block 421R ‘memory’; Figs. 1-3 and paragraph 3, ‘a user can select the language’ in ‘on-screen display’, which inherently includes storing multiple languages in a storage for user selection); and

“an OSD control section controlling said OSD generating section to display said OSD on a display section of said display device in one of said first and second languages”, (paragraph 20,

Art Unit: 2654

‘microprocessor (or microcontroller ,or microcomputer) 415R receives ...control signals’, and ‘executes the program subroutine (Fig.3) ... to provide the feature (including selecting languages), see Fig. 3).

MENEZ does not expressly disclose the first language “**used in said operating system**”. However, this feature is well known in the art as evidenced by HETHERINGTON who discloses message, system and computer program product for dynamic language switching via messaging (title), comprising ‘an operating system language’ (column 2, lines20-42), and teaches that ‘system messages may be employed ... to change a language for a user interface display’ and ‘such system messages preferably include a language Code (language information)’ (column 4, lines 4-8), which is necessarily stored in and used for the operating system and/or the user interface display. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ for providing language information about the operating system, as taught by HETHERINGTON, for the purpose of setting user interface display languages based on user preference, (HETHERINGTON: abstract).

Further, in another view, as stated above, MENEZ discloses that his invention ‘is equally applicable to a wireless personal assistant (PDA) such as a Palm Pilot (a hand-held computer)’ that inherently includes a small operating system, so that the operating system necessarily uses at least one language for the on-screen display.

As per **claim 2** (depending on claim 1), as stated above, MENEZ in view HETHERINGTON of discloses “said one of said first and second languages is said first language used in said operating system”, (HETHERINGTON: column 2, lines 20-42; MENEZ: paragraph 21).

Art Unit: 2654

As per **claim 3** (depending on claim 1), MENEZ in view HETHERINGTON further discloses “said OSD control section being set to control said OSD generating section to display said OSD in said first language in accordance with said language information generated from said language information-providing section”, (MENEZ: paragraph 20, ‘microprocessor 415R receives ...control signals... from remote control unit 450’; HETHERINGTON: column 4, lines 20-42, ‘operating system component ... to receive (or send) language ... display change system message (control signals)’ from ‘remote control’ or an ‘application 202’, so that the combined system has capability of claimed features).

As per **claim 4** (depending on claim 1), MENEZ in view HETHERINGTON further discloses “said OSD control section controls said OSD generating section to display said OSD by means of one of said second language when said first language is not one of said second languages stored in said memory”, (MENEZ: paragraphs 13-14, ‘factory default language, generally US English’, ‘a user could modify the default language’, which suggests that if no selection or no way to select, the system will use the default language, which reads on the claim).

As per **claim 5** (depending on claim 4), as state above, MENEZ in view HETHERINGTON discloses “said one of said second languages is a English language” (MENEZ: paragraphs 13-14, ‘factory default language, generally US English’).

As per **claim 6**, it recites a method. The rejection is based on the same reason as described for claim 1, because the claim recites same or similar limitation(s) as claim 1.

As per **claim 7** (depending on claim 6), the rejection is based on the same reason as described for claim 5, because the claim recites same or similar limitation(s) as claim 5.

As per **claim 8**, MENEZ discloses system and method for selecting language of on-screen displays (OSD) and audio programs (title), which is equally applicable to a wireless personal assistant such as a Palm Pilot (which is a hand-held computer) (paragraph 21), comprising:

“a computer body generating video signal data in response to the operation”, (Fig. 4 and paragraph 20, ‘microprocessor 415R... operates to transport the signal (including video signal data) to an appropriated decoder 430R (operation for generating video data)’, ‘video information (video signal data)’, microprocessor (or microcomputer) 415R also generates the on-screen display signals.... or confirmation EPG display screen (also interpreted as video signal data);

“said computer body storing language information data about said language and generating said language information data”, (paragraph 13, ‘users remote control device to select the language (inherently generating language information)... in on-screen display’ and ‘save (store) to memory the selection of the language (language information data) selected’).

MENEZ does not expressly disclose an “**operating system**” for the operation in the first limitation element above. However, this feature is well known in the art as evidenced by HETHERINGTON who discloses message, system and computer program product for dynamic language switching via messaging (title), comprising using personal computers (column 3, line12), having ‘operating system’ (column 4, lines 47-48), providing various data processes (operations), including user interface display (for video) (Fig. 1 and column 3, lines 31-35 and column 4, line 6). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ for expressly providing an operating system for

Art Unit: 2654

data processing, as taught by HETHERINGTON, for the purpose of better handling various operation for a computer based system.

Further, in another view, as stated above, MENEZ discloses that his invention 'is equally applicable to a wireless personal assistant (PDA) such as a Palm Pilot (a hand-held computer)' that inherently includes a small operating system and the operating system necessarily cooperates with other operations in the system, including for displaying video data.

As per **claim 9** (depending on claim 8), MENEZ in view HETHERINGTON further discloses:

"a display device coupled to said computer body", (MENEZ: Fig. 4; HETHERINGTON: Fig. 1),

"receiving said video signal data and said language information data, said display device displaying an OSD in accordance with said language information data", (Figs. 1-4 and MENEZ: paragraphs 15 and 18, 'receives a signal representing video', 'video information', in which the display device necessarily receives the corresponding video signal data ; paragraphs 20 and 14, 'receives ... control signals... from remote control unit', 'to select the language (language information) ... on-screen displays (OSD)'; HETHERINGTON: column 4, lines 4-8, 'system messages may be employed ... to change a language for a user interface display', 'such system messages preferably include a language Code (language information)').

As per **claim 16**, MENEZ discloses system and method for selecting language of on-screen displays (OSD) and audio programs (title), which is equally applicable to a wireless personal assistant such as a Palm Pilot (which is a hand-held computer) (paragraph 21), comprising:

Art Unit: 2654

a display device having an input [terminal] means adaptor to be coupled to a computer body (Fig. 4, block '403', '415R (microcomputer)', '400R', and connection (input means) between block '403' and other function blocks);

a memory coupled to said input [terminal] means, receiving language information data representing a language through said input [terminal] means, and storing said language information data (Fig. 4, 'memory', paragraph 20, 'users remote control device to select the language (language information data)... in on-screen display to be displayed (received)' and 'save (store) to memory the selection of the language (first language) selected').

MENEZ does not expressly disclose the computer body operated by **"an operating system"** and the language **used in the operation system**. However, this feature is well known in the art as evidenced by HETHERINGTON who teaches personal computers (column 3, line12) with 'operating system' (column 4, lines 47-48) and 'operating system language' (column 2, lines 23-24), and teaches that 'system messages may be employed ... to change a language for a user interface display' and 'such system messages preferably include a language Code (language information)' (column 4, lines 4-8), which is necessarily stored in and used for the operating system and/or the user interface display. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ for providing an operating system for data processing, as taught by HETHERINGTON, for the purpose of setting user interface display languages based on user preference, (HETHERINGTON: abstract).

Further, in another view, as stated above, MENEZ discloses that his invention 'is equally applicable to a wireless personal assistant (PDA) such as a Palm Pilot (a hand-held computer)'

Art Unit: 2654

that is inherently operated by a small operating system and necessarily includes using at least one language for displaying data.

As per **claim 17** (depending on claim 16), the rejection is based on the same reason as described for claim 3, because the claim recites same or similar limitation(s) as claim 3.

As per **claim 18** (depending on claim 16), MENEZ further discloses “said memory storing second language information data representing a second language used in an OSD”, (Fig. 4, block 421R ‘memory’; Figs. 1-3 and paragraph 3, ‘a user can select the language’ in ‘on-screen display’, which inherently includes storing multiple languages information data for user selection).

As per **claim 19** (depending on claim 18), the rejection is based on the same reason as described for claim 3, because the claim recites same or similar limitation(s) as claim 3.

As per **claim 20** (depending on claim 18), the rejection is based on the same reason as described for claim 3, because the claim recites same or similar limitation(s) as claim 3.

As per **claim 21** (depending on claim 18), the rejection is based on the same reason as described for claim 4, because the claim recites same or similar limitation(s) as claim 4.

As per **claim 22** (depending on claim 18), the rejection is based on the same reason as described for claim 4, because the claim recites same or similar limitation(s) as claim 4.

As per **claim 23**, it recites a method. The rejection is based on the same reason as described for claim 16, because the claim recites same or similar limitation(s) as claim 16.

As per **claim 24** (depending on claim 23), the rejection is based on the same reason as described for combination of claims 18 and 19, because the claim recites same or similar limitation(s) as claims 18 and 19.

Art Unit: 2654

7. Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over MENEZ in view of HETHERINGTON as applied to claim 9, and further in view of Cheng (US 5,986,638).

As per **claim 10** (depending on claim 9), MENEZ in view HETHERINGTON does not expressly disclose “said display device displaying a visual image in accordance with said video signal data”. However, this feature is well known in the art as evidenced by Cheng who discloses a computer monitor with selectable icons (visual image) representing the monitor display parameters (interpreted as video signal data) (Fig. 2 and column 1, lines 40-44). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ in view of HETHERINGTON for providing a computer monitor displaying icons that represents video display parameters, as taught by Cheng, for the purpose of providing more user friendly environment (Cheng: column 1, lines 48-49).

As per **claim 11** (depending on claim 9), even though MENEZ in view of HETHERINGTON discloses “a memory storing said language information data”, (paragraph 13, ‘save (store) to memory the selection of the language selected’), MENEZ in view of HETHERINGTON does not expressly disclose a “**display device comprising**” the memory. However, this feature is well known in the art as evidenced by Cheng who discloses a computer monitor comprising memory 40 to preserve the video display parameters, including language (Fig. 1 and column 2, lines 20-24 and line 47). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ in view of HETHERINGTON for providing a computer monitor (display device) with a memory for storing video display parameters including language, for the purpose of providing more user friendly environment (Cheng: column 1, lines 48-49).

As per **claim 12** (depending on claim 9), event though MENEZ in view of HETHERINGTON discloses “an OSD generator generating said OSD; and an OSD controller coupled”, “controlling said OSD generator to display said OSD in said language in response to said language information data” (MENEZ: Figs. 1-4 and paragraph 20), MENEZ in view of HETHERINGTON does not expressly disclose a “**display device comprising**” the OSD features stated above. However, these features are well known in the art as evidenced by Cheng who discloses ‘a computer monitor comprising an on-screen display integrated circuit (OSD IC) 60 (OSD generator)’, ‘a microprocessor based controller comprising a central processing unit 20...’ and ‘on-screen display (OSD) manager’ (Fig. 1 and column 2, lines 10-46). Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ in view of HETHERINGTON for providing a computer monitor (display device) with OSD features and components, as taught by Cheng, for the purpose of providing more user friendly environment (Cheng: column 1, lines 48-49).

As per **claim 13** (depending on claim 9), event though MENEZ further HETHERINGTON discloses “a memory storing said language information data”, (paragraph 13, ‘save (store) to memory the selection of the language selected’), and “said memory storing a plurality of second language information data”, (Fig. 4, block 421R ‘memory’; Figs. 1-3 and paragraph 3, ‘a user can select the language’ in ‘on-screen display’, wherein inherently includes storing multiple languages in a storage for user selection), MENEZ in view of HETHERINGTON does not expressly disclose a “**display device comprising**” the memory for storing the language related information. However, this feature is well known in the art as evidenced by Cheng who discloses a computer monitor comprising memory 40 for preserve the video display parameters,

Art Unit: 2654

including language (language information data)(Fig. 1 and column 2, lines 20-24 and line 47).

Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ in view of HETHERINGTON for providing a computer monitor (display device) with a memory for storing language data, for the purpose of providing more user friendly environment (Cheng: column 1, lines 48-49).

As per **claim 14** (depending on claim 13), the rejection is based on the same reason as described for claim 4, because the claim recites same or similar limitation(s) as claim 4.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of HETHERINGTON as applied to claim 9, and further in view of well known prior art (MPEP 2144.03).

As per **claim 15** (depending on claim 9), even though MENEZ in view HETHERINGTON discloses “to display said OSD in said language in accordance with said language information data” as stated above (see claim 9), MENEZ in view HETHERINGTON does not expressly disclose “said display device comprising a first key activating said OSD and a second key setting said display device” for the OSD features. However, an official notice is taken that the feature of using keys of a display device for setting OSD is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was made to modify MENEZ in view HETHERINGTON by specifically providing keys of a display device for setting OSD, for the purpose of providing conventional way for setting data for a display device.

Conclusion

9. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9306, (for informal or draft communications, and please label
"PROPOSED" or "DRAFT")

If no Mail Stop is indicated below, the line beginning Mail Stop should be omitted from the address.

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

U.S. Patent and Trademark Office
Customer Window, Mail Stop _____
Randolph Building
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (703) 305-5631. The examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (703) 305-6954.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

QH/qh
February 15, 2005


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER